



REMARKS/ARGUMENTS

Claims 1-23 are pending in this application. Claims 1, 5-7, 11, 20, 21, and 23 are amended. Replacement FIGS. 1 and 2 are submitted herewith.

As listed on page 1 of the Office Action mailed March 2, 2004, claims 1-4, 6, 7, 9, 11-13, 15, 18, 19 and 21 were rejected. Claims 5, 8, 10, 14, 16, 17, 20, and 22 were objected to. Applicants have thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references.

SPECIFICATION

The disclosure is objected to because of informalities in paragraphs [0023], [0024], [0025], [0031], [0032], and [0034]. Applicant thanks the Examiner for pointing out the errors, and has amended the specification accordingly. Additional typographical errors have been identified and corrected in amended paragraphs [0007] and [0029]. The amendments do not add any new matter. Applicants respectfully request that the amendments be entered.

Paragraph [0028] has been amended to render this paragraph consistent with the drawing change requested by the Examiner. Per M.P.E.P §608.01(l), "In establishing a disclosure, applicant may rely not only on the description and drawing as filed but also on the original claims if their content justifies it." Originally filed claims 5, 6, and 15 apply the limitation "insulation" to the bar (claims 5 and 15) and to the electrical connector (claims 6 and 15) in the

disclosure. The amendments, “insulation 19” and “insulation 29” in paragraph [0028] of the disclosure conform the specification to the amended drawing and the original claims. Because there is support for insulation in the originally filed claims 5, 6, and 15, the amendment to paragraph [0028] of the specification does not constitute new matter. Applicants respectfully request that the amendments be entered.

DRAWINGS

On page 2 of the Office Action, Examiner objected to FIGS. 1 and 2 of the drawings for reasons the Examiner set forth on page 2. Applicant has amended FIGS. 1 and 2 of the drawings. The handle 40 is shown in FIG. 1 and the insulation 19 is shown in FIG. 1. Reference numeral 29 is added and 28 is adjusted. Reference numeral 28 is changed to 29 in FIG. 2. Because there is support for insulation both in the specification and in the originally filed claims 5, 6, and 15, the amendments to the drawings do not constitute new matter. Applicant respectfully requests that the amendments be entered.

CLAIM OBJECTIONS

On page 3 of the Office Action, Examiner objected to claims 3, 5, 6, 12, 14, 15, 20, 21, and 23 for reasons the Examiner set forth on page 3. Applicant has amended claims 6, 20, 21, and 23 to correct informalities. The scope of these claims remains unchanged and they are entitled to the full limit of scope both literally and under the doctrine of equivalents. In light of these amendments, Applicant respectfully requests that the objection to claims 6, 20, 21, and 23 be removed.

On page 3 of the Office Action, first line, the Examiner cites claim 3 as having an informality, which informality is not further addressed. Applicant assumes that this claim was objected to in error, and respectfully requests that the objection be removed.

Claims 5, 6, 14, and 15 are objected to because, according to Examiner, the various insulations are not disclosed in the specification. Applicant respectfully disagrees. In at least paragraph [0028] of the specification, two types of insulation, namely thermal insulation between the bar and the door and electrical insulation surrounding the connector on the bar, are disclosed. Nonetheless, to further prosecution, Applicant has amended the drawings and the specification to further emphasize this disclosure. Applicant respectfully requests that the objection be removed.

Claim 12 is objected to because of, according to Examiner, a lack of disclosure of the means for gripping. Applicant respectfully disagrees. At least in FIG. 2 in the drawings, at reference numeral 40, as well as in paragraph [0028] of the specification, “a handle 40 is attached to the latching bar 18 to provide an easy means for grabbing.” Nonetheless, to further prosecution, Applicant has amended FIG. 1 in the drawings to further emphasize this disclosure. Applicant respectfully requests that the objection to claim 12 be removed.

MATTERS OF FORM

Additional typographical errors have been identified and corrected in claims 5 and 7. The amendments do not add any new matter, nor alter the scope of the claims, so that these claims are entitled to their full limit of scope both literally and under the doctrine of equivalents. Applicant respectfully requests that the amendments be entered.

CLAIM REJECTIONS – 35 U.S.C. § 102(b)

Claims 1-3, 7, 11, 12, 18, 19 and 21 stand rejected under 35 U.S.C. §102(b) as being anticipated by Rowe (U.S. Patent 2,204,002). Applicant respectfully traverses these rejections.

A § 102 rejection is proper only if each and every element as set forth in the claim is found—i.e., the prior art must teach every aspect of the claim. *See Verdegall Bros. v. Union Oil Co. of California* 918 F.2d 628, 631 (Fed. Cir. 1987); *see also MPEP* § 2131.

The reference does not teach or suggest the combination recited by claim 1. For example, claim 1 recites a combination including, “a bar ... and a first electrical connector attached to the bar that provides an electrical connection between the bar and the appliance.” The Rowe reference fails to teach , “a bar ... and a first electrical connector attached to the bar that provides an electrical connection between the bar and the appliance.” The examiner asserts that 34 of Rowe is a bar and 14 is a door. Assuming the Examiner is correct (Applicant does not agree with the Examiner’s characterization), Rowe teaches or suggests no electrical connector attached to the bar that provides a connection between the bar and the appliance. At best, Rowe shows a connection between the door 14 and the appliance. Therefore, Rowe does not teach or suggest all the features of Applicant's independent claim 1. Because Rowe does not teach or suggest each and every element in claim 1, Applicant respectfully submits that a § 102 rejection is not proper.

At least for the reasons stated above, claim 1 and its dependent claims 2-10 are patentable over the Rowe reference. Applicant respectfully requests that the 102 rejection of claims 1-3 and 7 be removed.

Rowe does not teach or suggest the combination recited by claim 11. For example, claim 11 recites a combination including, “means for latching the door closed, and first electrical connecting means providing connection between the latching means and the appliance when the door is latched closed.” As stated above, Rowe, at best, describes a connection between the door and appliance, not a first electrical connecting means providing a connection between the latching means and the appliance. Therefore, Rowe does not teach or suggest all the features of claim 11. Because Rowe does not teach or suggest each and every element in claim 11, Applicant respectfully submits that a § 102 rejection is not proper.

At least for the reasons stated above, claim 11 and its dependent claims 12-17 are patentable over the Rowe reference. For at least this reason, Applicant respectfully requests that the 102 rejection of claims 11 and 12 be removed.

Rowe does not teach or suggest the combination recited by claim 18. For example, claim 18 recites a combination including, “providing an electrical connector on the bar.” The Rowe reference fails to teach at least this aspect of the claim. The Examiner characterizes 34 to be the bar. There is no teaching or suggestion of providing an electrical connector on the bar. At best, Rowe describes an electrical connector on the door. Because Rowe does not teach or suggest each and every element in claim 18, Applicant respectfully submits that a § 102 rejection is not proper.

At least for the reasons stated above, claim 18 and its dependent claims 19-22 are patentable over the Rowe reference. Applicant respectfully requests that the 102 rejection of claims 18, 19, and 21 be removed.

For at least the reasons stated above, Applicant respectfully requests that the § 102 rejection of claims 1-3, 7, 11, 12, 18, 19 and 21 be withdrawn.

CLAIM REJECTIONS – 35 U.S.C. § 103(a)

Claims 4, 6, 9, 13, 15, and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rowe. Applicant respectfully traverses these rejections.

“To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.” (See MPEP § 2143.)

With respect to claims 4, 6, and 9, these claims are patentable at least by reason of their dependency on claim 1, already shown above to be patentable. Claims 13 and 15 are patentable at least by reason of their dependency on claim 11, shown above to be patentable.

With respect to claim 23, the prior art reference does not teach or suggest the claimed invention. For example, claim 23 recites a combination including, “a bar configured to mount on a combustion device and block a door.” At no point does Rowe teach or suggest a combination including a combustion device. In contrast, Rowe is directed to an electrical switch. Therefore, Rowe does not teach or suggest the combination of claim 23. Because Rowe does not teach or

suggest all the claim limitations of independent claim 23, a *prima facie* case of obviousness is not established. Therefore, claim 23 is patentable over Rowe.

For at least these reasons, Applicant respectfully requests that the § 103 rejection of claims 4, 6, 9, 13, 15, and 23 be withdrawn.

ALLOWABLE SUBJECT MATTER

Examiner identifies claims 8, 10, 16, 17, and 22 as being dependent upon rejected base claims, but allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant thanks the Examiner for finding patentable subject matter in claims 8, 10, 16, 17, and 22. However, Applicant respectfully submits that, in view of the above comments, claims 1, 11, and 18, which are the base claims for claims 8, 10, 16, 17, and 22, are allowable, so claims 8, 10, 16, 17, and 22 are allowable. Applicant therefore respectfully requests that the objection to claims 8, 10, 16, 17, and 22 be removed.

CONCLUSION

In view of the foregoing remarks, Applicant respectfully requests that rejections of claims 1-4, 6, 7, 9, 11-13, 15, 18, 19 and 21 be withdrawn. Applicant also requests objections to claims 3, 5, 6, 12, 14, 15, 20, 21, and 23 be withdrawn. If, for any reason, the Examiner disagrees, please call the undersigned attorney at 202-861-1792 in an effort to resolve any matter still outstanding before issuing another action. The undersigned attorney is confident that any issue which might remain can readily be worked out by telephone.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036.

Respectfully submitted,

BAKER & HOSTETLER LLP



P. Alan Larson
Reg. No. 53,184

Date: 7/2/04
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304
Telephone: 202-861-1500
Facsimile: 202-861-1783